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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,360	08/31/2000	Ichiro Nakano	1046.1221/JDH	4207

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EXAMINER
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NGUYEN, KEVIN M

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/653,360	<b>Applicant(s)</b> NAKANO ET AL.	
	<b>Examiner</b> Kevin M. Nguyen	<b>Art Unit</b> 2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11,453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-9,11-14,16,18-20 and 22-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9,11-14,16,18-20 and 22-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This office action is made in response to applicant's amendment filed on 07/02/2004. Claims 10, 15, 17 and 21 are cancelled, claims 18, 19 and 26 are amended, and claims 1-9, 11-14, 16, 18-20 and 22-26 are currently pending in the application. Action follows below:

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 18, 19 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Lichtenstein (US 5,428,417).

2. As to claims 1, 5, 18, 19, Lichtenstein teaches an information processing system associated with a method and a storage medium readable, the information processing system comprising

an operation screen unit (a touch display panel 19, fig. 1),

a first control circuit (control electronics 17, fig. 1),

an operation mode selecting unit (menu of displayed icons 22, fig. 1);

a first mode is settable to provide a first function (the touch display panel 19, fig. 9A) corresponding to the touch operation if the touch operation is detected on the touch display screen 19,

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a second mode is settable to provide a second function (an audience viewing screen 28, fig. 1) of displaying a marker 156c (fig. 1) for indicating a detection of the touch in a touch position of the marker 156c if the touch operation is detected on the display screen 19 (fig. 1), the first function (the touch display panel 19, fig. 1) corresponding to the touch operation is not executed (col. 22, lines 3-13).

3. As to claims 2, 6, Lichtenstein teaches a connecting module (control electronics 16, fig. 1),

a display device (the audience viewing screen 28, fig. 1, col. 6, lines 39-40),

a first display control unit (control electronics 17, fig. 1),

a second mode is settable to provide a second function (the audience viewing screen 28, fig. 1) of displaying a marker "156c" for indicating a detection of the touch in a touch position and a display position on the display device (a projector 10) of the marker 156c if the touch operation is detected on the display screen 28 (fig. 1), the second function (the audience viewing screen 28, fig. 1) is provided instead of the first function (the touch display panel 19, fig. 1).

4. As to claims 3, 7, Lichtenstein teaches a first control unit (control electronics, fig. 1) executes the control so that the information is exclusively displayed on any one of the display device (28) and the operation screen unit (the touch switch 31, fig. 1).

5. As to claims 4, 8, Lichtenstein teaches a connecting module (control electronics 16, fig. 1),

an operation screen unit (a touch display panel 19, fig. 1),

a second control unit (control electronics 16 of projector 10, fig. 1),

a first display control unit comprises a CRT.C 9 (CRT controller, fig. 1) for controlling said CRT display device 26 (fig. 1) and said touch switch 31 (fig. 1),

item of information is different from those on the touch panel 19 and displayed on only6 the screen 5a of the projector 10 by touching the touch panel 19 (fig. 1);

a second mode is settable to provide a second function (the audience viewing screen 28, fig. 1) of displaying a marker "156c" for indicating a detection of the touch in a touch position and a display position on the display device (a projector 10) of the marker 156c if the touch operation is detected on the display screen 28 (fig. 1), the second function (the audience viewing screen 28, fig. 1) is provided instead of the first function (the touch display panel 19, fig. 1).

6. As to amended claim 26, Lichtenstein teaches the information processing system comprising

- a. an operation screen unit is defined, recited at col. 13, lines 7-10, all modalities and control commands are initiated by touching display panel 19 either within the margin 19a and 19b to select a modality or, within display area 19c to control the position or orientation of a selected graphic icon or alpha numeric label.
- b. a CPU 71 (fig. 5) is defined a display control unit, recited at col. 21, lines 4-17, controlling display information (see figs. 11A and 11B) on the operation screen unit.
- c. the selected display mode to display marker is defined, recited at col. 14, lines 54-55, control commands are initiated by touching display panel 19 within

the margin 19a (control display modes) to select a the ARROW icon 114 by touching its display in margin 19a (fig. 10B) to highlight icons 132d (display a marker, fig. 10A) at the screen 28 (fig. 10A), and display moving icons 132a, 132b, and 132c (fig. 10B) at the touch screen 19 (fig. 10B).

d. the execution command mode is defined, recited at col. 20, lines 58-60, a control command is initiated by touching display panel 19 within the margin 19b (control execution modes) to select at least one "save" command (see fig. 9A).

e. "discarding the command corresponding to the information at the touch position" is defined, recited at col. 15, lines 8-11, at this point, the lecturer touches FREEZE button 126, which deletes the icon identification bit and makes the system no longer responsive to touch commands to ARROW icon 132c (see Figs. 10A and 10B).

f. "if the user touches the operation screen unit at a new touch position outside the region of the touch position" is defined, recited at col. 15, lines 2-6, rotation of the arrow icon at position 132d is accomplished by first touching outside of the icon centroid which will cause icon rotation in lieu of translation, about its centroid under control of the touching finger or touching instrument.

g. "while displaying the marker at the new touch position" is defined, recited at col. 15, lines 26-28, now, both ARROW icon 132d and SINE label 140d are projected on screen 28 as shown in Fig. 10a.

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***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9, 11-13, 16, 20, 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lichtenstein in view of Platzker et al (US 5,528,263).

7. As to claims 9, 16, 20, Lichtenstein teaches an information processing system associated with a method and a storage medium readable, the information processing system comprising

an operation screen unit (a touch display panel 19, fig. 1),

a first control circuit (control electronics 17, fig. 1),

an operation mode selecting unit (menu of displayed icons 22, fig. 1);

a first mode is settable to provide a first function (the touch display panel 19, fig. 9A) corresponding to the touch operation if the touch operation is detected on the touch display screen 19,

a second mode is settable to provide a second function (an audience viewing screen 28, fig. 1) of displaying a marker 156c (fig. 1) for indicating a detection of the touch in a touch position of the marker 156c if the touch operation is detected on the display screen 19 (fig. 1), the first function (the touch display panel 19, fig. 1) corresponding to the touch operation is not executed (col. 22, lines 3-13).

Accordingly, Lichtenstein teaches all of the claimed limitations, except for a predetermined time.

However, Platzker et al teaches related information processing system comprising a predetermined time period 110 (fig. 6A).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Lichtenstein's display marker including the predetermined time period, in view of the teaching in the Platzker's reference because this would provide a more natural and unobtrusive of a projected video image display system in order to modify the projected image as taught by Platzker et al (col. 2, lines 3-6).

8. As to claims 11, 12, 22, 23, Platzker et al teaches has a predetermined time period elapsed 116 (fig. 6A), first pop up menu disappears go to start 118 (fig. 6A).

9. As to claims 13, 24, Lichtenstein teaches the touch display panel 19 (fig. 1) is a pointing device.

Claims 14 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lichtenstein in view of Platzker et al, and further in view of Martin (Us 5,448,263).

10. As to claims 14 and 25, Lichtenstein and Platzker et al teach all of the claimed limitations, except for other display device.

However, Martin teaches a connection module (a computer 5, fig. 1) coupling to other display devices 13 and 15 (fig. 2).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Lichtenstein's control electronics coupling other



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display device, in view of the teaching in the Martin's reference because this would provide every participant to input information immediately and to have such information displayed at each other site quickly and easily as taught by Martin (col. 5, lines 2-6).

***Response to Arguments***

11. Applicant's arguments filed 07/02/2004 have been fully considered but they are not persuasive.

12. In response to applicant's argument that claim 1 recites "an operation mode selecting unit having two separate operation mode, one of which executes a command, and another operation mode that display a marker at the touch position without executing the corresponding command" <sup>(1)</sup>.

This argument is not persuasive because Lichtenstein's invention teaches

h. operation mode selecting unit is defined, recited at col. 13, lines 7-10, all modalities and control commands are initiated by touching display panel 19 either within the margin 19a and 19b to select a modality or, within display area 19c to control the position or orientation of a selected graphic icon or alpha numeric label. The margin 19a and 19b are defined two separate operation modes.

i. a first operation mode is defined, recited at col. 20, lines 58-60, a control command is initiated by touching display panel 19 within the margin 19b (control execution modes) to select at least one "save" command (see fig. 9A).

j. a second operation mode is defined, recited at col. 14, lines 54-55, control commands are initiated by touching display panel 19 within the margin 19a

(control display modes) to select a the ARROW icon 114 by touching its display in margin 19a (fig. 10B) to highlight icons 132d (display a marker, fig. 10A) at the screen 28 (fig. 10A), and display moving icons 132a, 132b, and 132c (fig. 10B) at the touch screen 19 (fig. 10B).

k. claimed limitation "...at the touch position without executing the corresponding command" is defined, recited at col. 15, lines 8-11, at this point, the lecturer touches FREEZE button 126, which deletes the icon identification bit and makes the system no longer responsive to touch commands to ARROW icon 132c (see Figs. 10A and 10B).

Therefore, the teaching of Lichtenstein's paragraphs (h through k) provides the "substantial evidence" and established a prima facie case to produce and result the claimed limitations <sup>(1)</sup>.

13. In response to applicant's argument that independent claim 5 recites "a control unit controlling execution and display modes on said operation screen unit, wherein if the execution mode is selected a command corresponding to the touch operation if the touch operation is detected on said operation screen unit is executed, and if the display mode is selected a marker displaying a detection of the touch in a corresponding touch position if the touch operation is detected on said operation screen unit, and the command corresponding to the touch operation is not executed"<sup>(2)</sup>.

This argument is not persuasive because Lichtenstein's invention teaches

- l. a CPU 71 (fig. 5) is defined a display control unit, recited at col. 21, lines 4-17, controlling display information (see figs. 11A and 11B) on the operation screen unit 19.
- m. display mode to display marker is defined, recited at col. 14, lines 54-55, control commands are initiated by touching display panel 19 within the margin 19a (control display modes) to select a the ARROW icon 114 by touching its display in margin 19a (fig. 10B) to highlight icons 132d (display a marker, fig. 10A) at the screen 28 (fig. 10A), and display moving icons 132a, 132b, and 132c (fig. 10B) at the touch screen 19 (fig. 10B).
- n. The execution mode is selected a command, recited at col. 20, lines 58-60, a control command is initiated by touching display panel 19 within the margin 19b (control execution modes) to select at least one "save" command (see fig. 9A).
- o. "the command corresponding to the touch operation is not executed" is defined, recited at col. 15, lines 8-11, at this point, the lecturer touches FREEZE button 126, which deletes the icon identification bit and makes the system no longer responsive to touch commands to ARROW icon 132c (see Figs. 10A and 10B).

Therefore, the teaching of Lichtenstein's paragraphs (i through o) provides the "substantial evidence" and established a prima facie case to produce and result the claimed limitations <sup>(2)</sup>.

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14. In response to applicant's argument that independent claims 18 and 19. In response, the reasons are similar feature to paragraphs (h through k) above.

15. Applicant argues features in the independent claim 26 that are newly recited. Thus, new grounds of rejection have been used. See paragraph 6 above.

For these reasons, the rejections based on Lichtenstein, Platzker, and Martin have been maintained.

### ***Conclusion***

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kevin M. Nguyen** whose telephone number is **703-305-6209**. The examiner can normally be reached on MON-THU from 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reached on **703-305-4709**.

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**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Kevin M. Nguyen  
Patent Examiner  
Art Unit 2674

KN  
December 24, 2004

*Henry N. Tran*  
*for XW.*  
HENRY N. TRAN  
PRIMARY EXAMINER